

## **REMARKS**

Claims 1-10 are now pending in the application. Claims 1, 3, and 10 have been amended for clarity. Applicant respectfully submits that the amended claims are of equal or broader scope than the originally filed claims. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

## **SPECIFICATION AND ABSTRACT**

Applicant has amended the specification and abstract to address minor issues of clarity.

## **OBJECTION TO THE DRAWINGS**

The Examiner objected to the drawings under 37 CFR 1.83(a). The Examiner asserts that the drawings must show every feature of the invention specified in the claims. In particular, the Examiner asserts that the “core edge layer network, Edge Server Router (ESR), and three-dimensional linking-list” must be shown or the feature canceled from the claims. Applicant has amended Claim 3 to cancel this feature. In view of the foregoing, Applicant respectfully submits that the amendment to the claims overcomes the objection to the drawings and respectfully requests withdrawal of the same.

## **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ciscon (U.S. PGPUB. No. 2002/0004827) in view of Chen (U.S. Pat. No. 2005/0021802). This rejection is respectfully traversed.

Applicant respectfully submits that the combination of Ciscon and Chen is improper, as Chen is not prior art to the subject patent application. More particularly, the subject patent application has a filing date of July 28, 2003, and a priority date to a patent application filed in China on August 7, 2002. Chen, on the other hand, has a filing date of May 23, 2003, with no apparent claim of the benefit of a prior application, either U.S. or foreign. Applicant respectfully refers the Examiner to the MPEP Section 201.13, Subsection III regarding the effect of the right of priority. The MPEP states that the right to rely on the foreign filing extends to overcome any effects of intervening references or uses. Chen appears to be an intervening reference, as it was filed between the filing date of the Chinese patent application from which a benefit is claimed and the subject U.S. patent application, and cannot be prior art reference against the subject patent application.

In view of the foregoing, Applicant respectfully submits that the combination of Ciscon and Chen fails to teach or suggest all the limitations recited in amended claim 1. Therefore, amended claim 1 and its dependent claims define over the art cited by the Examiner.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner

believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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